

REMARKS

Claims 1, 3-10, 12-14 and 16 are pending in the present application. Claims 1, 7 and 14 are in independent form. Claims 1, 3, 7 and 12-14 are amended. Claim 15 is cancelled. In view of the above amendments and the following remarks, favorable reconsideration and allowance of the present application is respectfully requested.

I. **STATEMENT REGARDING THE SUBSTANCE OF THE INTERVIEW**

The following statement regarding the substance of interview is respectfully submitted in response to the February 1, 2010 telephonic interview between Examiner Kang Hu and Applicant's representative, Crystal Wilson (Reg. No. 61,730).

During the interview, Applicant's representative inquired about the Examiner's previous indication, during the November 19, 2010 telephone conversation, of possible allowable subject matter in claim 8. The Examiner stated that, upon revisiting the prosecution history, he agreed with the previous Examiner that the subject matter recited in claim 8 is anticipated, if not obvious, in view of Charbel.

Applicant's representative inquired about the possibility of amending the claims to distinguish the claimed electrical resistive network from the electrical network disclosed in Charbel. The Examiner stated that he would consider such amendments with a formal submission. The Examiner stated that he would contact Applicant's representative if he recognizes possible allowable subject matter.

II. SPECIFICATION AMENDMENTS

By the present Amendment, the Specification is amended. In the present application, Applicants' priority claim to International Patent Application No. PCT/SE2003/001893, Sweden Application No. 0203570-7 and U.S. Provisional Application No. 60/430,335 was included in the Declaration filed on November 30, 2005, which was filed within the time period set forth in 37 C.F.R. § 1.78(a). Further, the information concerning the priority claim was recognized by the USPTO as shown by its inclusion in the Official Filing Receipt mailed February 17, 2006 (copy enclosed). Applicants now submit the present Amendment to amend the specification to include specific reference to these priority claims.

MPEP § 201.11.III.D states (emphasis added):

If an applicant includes a benefit claim in the application but not in the manner specified by 37 C.F.R. § 1.78(a) (e.g., if the claim is included in an oath or declaration or the application transmittal letter) within the time period set forth in 37 C.F.R. § 1.78(a), the Office will not require a petition under 37 C.F.R. § 1.78(a) and the surcharge under 37 C.F.R. § 1.17(t) to correct the claim if the information concerning the claim was recognized by the Office as shown by its inclusion on the filing receipt.

Therefore, according to MPEP § 201.11.III.D (recited above), a petition under 37 C.F.R. § 1.78(a) and surcharge under 37 C.F.R. § 1.17(t) are not required.

Applicants request entry of this amendment to the specification and request proper recognition of this priority claim to International Patent Application No. PCT/SE2003/001893, Sweden Application No. 0203570-7 and U.S. Provisional Application No. 60/430,335.

III. CLAIM AMENDMENTS

By the present Amendment, claims 1, 3, 7 and 12-14 are amended. The amendments to claims 1, 7 and 14 are supported, at least, by Figs. 1 and 2, page 4, line 19-page 5, line 17, and page 9, line 25-page 10, line 5 of the Specification. Claims 3, 12 and 13 are amended to provide proper antecedent basis.

In particular, example embodiments teach that the interface device (e.g., element 120 of Fig. 1 and element 200 of Fig. 2) is arranged to receive a number of instruments 121/122/123. Example embodiments further teach that the interface device includes a number of movable carriages 216A/216B/216C that correspond to the number of instruments.

As shown in Figs. 1 and 2, at least two different instruments (e.g., instrument 121 and instrument 122) can be simultaneously received along two different axes arranged in a parallel manner.

Thus, Applicant submits that the amendments do not introduce new matter.

IV. CITED ART REJECTIONS

(A) *Claims 1, 3-10 and 12-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Anderson et al. (hereinafter "Anderson"), U.S. Patent No. 7,371,067 B2 in view of Charbel et al. (hereinafter "Charbel"), U.S. Patent No. 7,191,110 B1. Applicant respectfully traverses the rejection.*

i. INDEPENDENT CLAIM 1

Amended independent claim 1 is directed to a simulation system for training and assessing the performance of an endovascular procedure, including (*inter alia*) a control unit and an interface unit, "said control unit being configured to communicate with said interface unit to simulate simultaneous handling of at least

two different instruments interfaced by said interface unit, wherein interface unit is configured to receive the at least two different instruments along two different axes arranged in a parallel manner." Applicant submits that Anderson in view of Charbel fail to explicitly teach, or otherwise suggest, the above-identified features recited in amended independent claim 1.

a. THE COMBINATION OF ANDERSON AND CHARBEL

The rejection states that Anderson teaches a simulation system for training and assessing the performance of an endovascular procedure including "...a control unit and an interface unit (fig. 9), said control unit communicating with said interface unit to simulate handling of at least one instrument interfaced by said interface unit (col. 3, lines 40-47, intervention simulation device of user maneuvering or deploying the device),..." Action, p. 2.

However, Anderson is directed to "...a system for virtually designing a medical device conformed for use with a specific patient." Anderson, abstract (emphasis added). Anderson teaches that "[m]ultiple medical devices can be modeled on each other. For example, virtual stents, balloons and stent grafts, etc., can be modeled on top of a virtual catheter." Anderson, col. 19, ll. 39-41. The terminology "modeled on" as used in Anderson means that, for example, the stent and catheter may be arranged in a co-axial manner. Anderson further teaches that the candidate device is inserted into an interface of a manikin. See col. 20, lines 7-13 of Anderson. However, Anderson does not teach, or suggest, that the manikin is capable of receiving at least two different instruments along two different axes arranged in a parallel manner. Thus, Anderson fails to teach "interface unit is configured to receive the at least two different instruments along two different axes arranged in a parallel manner" as recited in amended independent claim 1.

Furthermore, absent Applicant's own disclosure, there is no motivation in Anderson to configure the interface unit "to receive the at least two different instruments along two different axes arranged in a parallel manner" as recited in amended independent claim 1.

Charbel fails to remedy the above deficiencies of Anderson with respect to amended independent claim 1.

For at least these reasons, Applicant submits that Anderson in view of Charbel fails to explicitly teach, or otherwise suggest, a simulation system for training and assessing the performance of an endovascular procedure, including (*inter alia*) a control unit and an interface unit, "said control unit being configured to communicate with said interface unit to simulate simultaneous handling of at least two different instruments interfaced by said interface unit, wherein interface unit is configured to receive the at least two different instruments along two different axes arranged in a parallel manner" as recited in amended independent claim 1.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection to independent claim 1, and claims 3-6 and 12 at least by virtue of their dependency on independent claim 1.

ii. INDEPENDENT CLAIM 7

Amended independent claim 7 is directed to a method of simulating flow of a body fluid in a simulation system for training and assessing the performance of an endovascular procedure where the simulation system includes a control unit and an interface unit, with (*inter alia*) "said control unit being configured to communicate with said interface unit to simulate simultaneous handling of at least two different instruments interfaced by said interface unit, wherein interface unit is configured to receive the at least two different instruments along two different axes arranged in a

parallel manner." Thus, Applicant submits that independent claim 7 is patentable over the combination of Anderson and Charbel for similar reasons as given above with respect to amended independent claim 1.

As such, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection to independent claim 7, and claims 8-10 and 13 at least by virtue of their dependency on independent claim 7.

iii. INDEPENDENT CLAIM 14

Amended independent claim 14 is directed to a simulation system for training and assessing the performance of an endovascular procedure, including (*inter alia*) a control unit and an interface unit, "said control unit being configured to communicate with said interface unit to simulate simultaneous handling of at least two different instruments interfaced by said interface unit, wherein interface unit is configured to receive the at least two different instruments along two different axes arranged in a parallel manner." Thus, Applicant submits that independent claim 14 is patentable over the combination of Anderson and Charbel for similar reasons as given above with respect to amended independent claim 1.

As such, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection to independent claim 14, and claim 16 at least by virtue of its dependency on independent claim 14.

CONCLUSION

Accordingly, in view of the above, reconsideration of the rejections and allowance of each of claims 1, 3-10, 12-14 and 16 in connection with the present application is earnestly solicited.

Should there be any matters that need to be resolved in the present application; the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

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Attachments: Official Filing Receipt mailed on February 17, 2006
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CONFIRMATION NO. 6870

30593
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FILING RECEIPT



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Date Mailed: 02/17/2006

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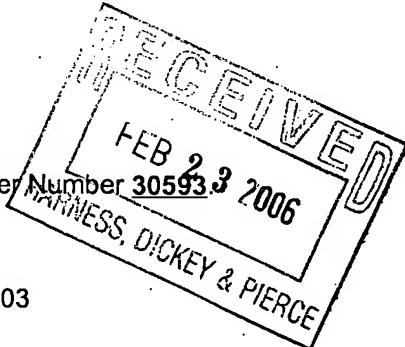
Applicant(s)

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Power of Attorney: The patent practitioners associated with Customer Number 30593-3 2006

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/SE03/01893 12/03/2003



Foreign Applications

SWEDEN 020357007 12/03/2002

UNITED STATES OF AMERICA 60430335 12/03/2002

Projected Publication Date: 05/25/2006

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Interventional simulator system

Preliminary Class

600

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